

February 24, 1984

LB 1095, 1113

CLERK: Legislative Bill 1113 introduced by Senator Hoagland. (Read title.) The bill was read on January 18, referred to Judiciary, advanced to General File. I have no amendments to the bill.

PRESIDENT: Chair recognizes Senator Hoagland.

SENATOR HOAGLAND: LB 1113, Mr. President and colleagues, deals with a highly technical procedural issue that affects the district courts and the county courts mainly in the urban areas in Nebraska. And it involves cases where commercial leases are foreclosed. Current law vests jurisdiction in the county court to evict a tenant but only vests jurisdiction in the district court for damages in excess of \$10,000. So if you have a commercial situation where you wish to evict a tenant and more than \$10,000 is involved, you have to file a suit in the district court to get the money and a suit in the county or municipal court to require the person leave the property to evict the tenant. This bill would remedy that and give the district court jurisdiction over both of those parts of the same action, so people aren't having to file two lawsuits in two separate courts in what amounts to one factual situation. It's complicated, very technical and I'd be pleased to attempt to answer questions about it any of you might have. I'd move the advancement at this time.

PRESIDENT: Is there further discussion on LB 1113? Senator Newell. I guess...motion is to advance LB 1113. All those in favor vote aye, opposed vote no. Motion is to advance LB 1113 as explained by Senator Hoagland. Please record your vote. May we have the cooperation of the members in recording your vote on LB 1113, please, as explained by Senator Hoagland? Have you all voted? The Clerk will record the vote.

CLERK: 26 ayes, 0 nays, Mr. President, on motion to advance the bill.

PRESIDENT: LB 1113 is advanced. LB 1095.